

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
APRIL 2, 1975

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, April 2, 1975, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - EHRHARDT, HUGHES,
KATNICH, PINKERTON
and SCHAFFER (Mayor)

Absent: Councilmen - None

Also Present: City Manager Glaves, Assistant
City Manager Glenn, City Attorney Mullen,
Planning Director Schroeder, and Public Works
Director Ronsko

INVOCATION

The invocation was given by Councilman Ehrhardt

PLEDGE

Mayor Schaffer led the Pledge of Allegiance to the flag.

MINUTES

Councilman Pinkerton moved that the minutes of March 19, 1975 be approved as written and mailed. The motion was seconded by Councilman Ehrhardt and carried.

PROCLAMATION

Mayor Schaffer proclaimed April 6 through April 12, 1975 as "Week of the Young Child" and presented the proclamation to Mrs. Robert Schulenburg.

PLANNING COMMISSION

ACTIONS OF
INTEREST

City Manager Glaves gave the following report of the Planning Commission meeting of March 24, 1975:

1. Conducted the first public hearing on General Plan Amendment 75-2 which redefines and phases the industrial areas as shown on the Land Use Element and makes certain changes in the Circulation Element.

The information from this hearing will be made part of the Final Environmental Impact Report which is due for consideration on April 14, 1975.

2. Recommended that the San Joaquin County Board of Zoning Adjustment deny the request of Kingdom Hall of Jehovah's Witnesses for a Use Permit to establish a church with a seating capacity of 228 on the west side of Kennison Road from 1800 to 1950 feet north of Highway 12 (Victor Road) in an area zoned I-PA, Interim Protected Agriculture because the Lodi General Plan depicts the area

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as agricultural.

3. Recommended that the San Joaquin County Board of Zoning Adjustment approve the request of East-Side Winery for a Variance to increase the maximum height of a fence from 6 feet to 8 feet in the required front, rear and side yards at the southeast corner of Highway 12 (Victor Road) and the Central California Traction Company right-of-way in an area zoned EA/AP, Exclusive Agriculture-Agricultural Products.

COMMUNICATIONS

CLAIM

A Claim for Personal Injuries filed on behalf of Gerania Torres, 338 E. Locust Street, Lodi, California in the amount of \$5,000 was presented by the City Clerk. On motion of Councilman Ehrhardt, Pinkerton second, the Claim was rejected and referred to the City's Agent of Record.

ABC LICENSE

An application for Alcoholic Beverage License was received for Elizabeth Gregorio, Earl's Club, 1 North Sacramento Street, Lodi, "On sale beer and wine Public Premises" license (dropping eating place designation).

APPLICATIONS BEFORE P. U. C.

The following notices of Application before the California Public Utilities Commission have been received and were presented to Council by the City Clerk:

a. Application No. 55575 filed by the Pacific Telephone Co. seeking to establish a tariff for the 801A Dial PBX and to modify the rates currently charged to contract customers of the service.

b. Application No. 55456 filed by Greyhound Lines, Inc. (Western Division), for an order authorizing a statewide increase in intrastate passenger fares and express rates and Greyhound Lines, Inc. (Western Division), Las Vegas, Tonopah-Reno State Line, Inc., Orange Belt Stages, a corporation, Peerless Stages, Inc. and Vaca Valley Bus Lines for an order authorizing a statewide increase in interline express rates.

INFORMATION REQUESTED ON DISPOSITION OF CLAIMS

Councilman Katnich stated that he would like to have a report indicating the disposition of claims that have been previously presented to the Council.

CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Pinkerton, Katnich second, were approved by Council.

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$580,546.59.

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AWARD 1974-75
COMPACT PICKUP
TRUCK FOR PUBLIC
WORKS DEPT.

For report of the City Manager, bids have been received for a 1974-75 Compact Pickup Truck for the Public Works Department as follows:

<u>BIDDER</u>	<u>AMOUNT</u>
Chase Chevrolet 1975 Model	\$3,289.00
Geweke Ford 1974 Model	\$3,300.10
Sanborn Chevrolet 1975 Model	\$3,376.52

Report and recommendation of the City Manager indicated that the award be made to Geweke Ford, in the amount of \$3,300.10. Both Chase Chevrolet and Sanborn Chevrolet were unable to furnish tinted glass or "Federal Yellow" paint as specified.

RES. NO. 4047

RESOLUTION NO. 4047

RESOLUTION AWARDED THE CONTRACT FOR A COMPACT PICKUP TRUCK FOR THE PUBLIC WORKS DEPARTMENT TO GEWEKE FORD, IN THE AMOUNT OF \$3,300.10.

SPECS FOR 15-KV
XLP CABLE APPRVD.

COUNCIL APPROVED THE SPECIFICATIONS FOR 15-KV XLP CABLE FOR THE UTILITY DEPARTMENT AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

ITEM "d" WITH-
DRAWN FROM
AGENDA

With Council's concurrence, Item "d" - Award - Asphalt Material for 4th Quarter of fiscal year 1974-75 was withdrawn from the Agenda.

REPORTS OF THE
CITY MANAGER

EVAPORATIVE CON-
DENSERS ADDITION.
PUBLIC SAFETY
BLDG.

City Manager Graves presented the bids received for the contract for the Evaporative Condensers Addition - Public Safety Building. Plans and specifications for this project were approved by the City Council on March 5, 1975. Bids were opened on Tuesday, April 1, 1975, and the following three bids were received:

<u>BIDS</u>	<u>AMOUNT</u>
Camellia City Mechanical	\$21,532.00
Henderson Bros. Co., Inc.	\$22,745.00
Park Sheet Metal Works	\$26,126.00

It was noted that the Engineer's Estimate was \$11,000.00 for this project.

Councilman Hughes expressed his concern about the tremendous difference between the Engineer's estimate for this project and the actual bids that were received. Following discussion, on motion of Councilman Ehrhardt, Katnich second, the matter was continued to the regular Council meeting of April 16, 1975 to allow time for further review, and the City Clerk was directed to provide Council with correspondence previously received

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on this matter by April 8, 1975 for discussion and review by Council at the shirt-sleeve session to be held on that date.

PUBLIC HEARING
SET TO FIX ASSESS-
MENT ON PROPERTY
LOCATED AT 11 S.
GARFIELD ST.

The City Manager apprised the Council that on March 5, 1975, the City Council accepted the demolition work accomplished on the substandard dwelling located at 11 South Garfield Street. To recover the costs incurred by the City in this demolition action, the Local Housing Code specifies that a public hearing on the Chief Building Inspector's report be held so that any objections to these costs may be heard. The Chief Building Inspector's report regarding this demolition was provided to the Council for its scrutiny.

On motion of Councilman Pinkerton, Ehrhardt second, the matter was set for public hearing on April 16, 1975.

TRAFFIC
INVESTIGATION
ELM/MILLS

RUTLEDGE/
YOSEMITE

City Manager Graves reported that the City Council at its regular meeting of February 19, 1975 directed the staff to do a traffic investigation on Elm Street and Mills Avenue Intersection and Rutledge Drive and Yosemite Drive Intersection. Copies of the traffic engineering investigations for both intersections were provided Council and based on established warrants, the following recommendations were made:

Elm Street and Mills Avenue Intersection- Staff recommends that stop signs be erected on Elm Street at the east and west approach to Mills Avenue thereby establishing a 4-way stop intersection. The installation is warranted by the existing traffic and pedestrian volumes.

RES. NO. 4048

Following discussion with questions being directed to City Manager Graves, and Public Works Director Ronsko, on motion of Councilman Katnich, Ehrhardt second, Council adopted Resolution 4048 authorizing the installation of stop signs on Elm Street at Mills Avenue, thereby establishing a 4-way stop intersection at that location.

Rutledge Drive and Yosemite Drive Intersection - Staff recommends that "Yield" signs be installed on Yosemite Drive at the east and west approaches to Rutledge Drive. In addition to this installation and as an aid to pedestrians crossing Rutledge Drive, it is recommended that pedestrian crosswalks be painted across Rutledge Drive on the north and south sides of Yosemite Drive. It was also noted that the installation of "Yield" signs on Yosemite Drive may, without effective police patrolling, tend to increase traffic speeds on Rutledge Drive.

RES. NO. 4049

A discussion followed on this intersection, with questions also being directed to City Manager Graves and Public Works Director Ronsko. Councilman Pinkerton moved to adopt Resolution No. 4049 authorizing the installation of "Yield" signs on Yosemite Drive at the east and west approaches to

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Rutledge Drive, authorized pedestrian crosswalks to be painted across Rutledge Drive on the north and south sides of Yosemite Drive, and noting that the installation of "Yield" signs on Yosemite Drive may, without effective police patrolling, tend to increase traffic speeds on Rutledge Drive, requested additional police patrolling in that area as needed. The motion was seconded by Councilman Ehrhardt and carried.

MAPLE SQUARE
FIREHOUSE ROOF
REPAIRS

City Manager Graves reported that at the City Council meeting of February 19, 1975, the City Council reviewed an informal estimate of \$1800.00 for removal of the existing hose tower and repairing the roof of the Maple Square Firehouse. The City Council directed the staff to obtain bids on repairing the existing roof without the removal of the hose tower. The City staff then obtained written quotations for this work and also written quotations for the removal of the hose tower as follows:

REPAIRING ROOF NOT REMOVING HOSE TOWER

Lodi Siding and Roofing, Inc. \$275.00

Western Roofing \$2,200.00

REPAIRING ROOF REMOVING HOSE TOWER

James F. Culbertson (Firm Verbal) \$1,250.00

Ted A. Molfino \$1,785.00

After confirming that the low bidder would be able to accomplish and guarantee the work for \$275.00 the City staff authorized the repairs. Since the amount of work was not over \$3,500.00, formal bidding procedure was not required.

SIDEWALK
INSTALLATION ON
LOCKEFORD STREET
EAST OF SPRR

City Manager Graves apprised the Council that at a regular Council meeting of October 16, 1974, Councilman Ehrhardt requested that the staff survey the existing sidewalk improvements in the area of Lockeford Street between Stockton and Main Streets. On November 6, 1974, information was provided the Council showing the areas where sidewalk was not existing and indicated that the City Council could require the installation of sidewalk under Section 5870 of the Street and Highways Code. It was pointed out that the sidewalk could not be installed at its ultimate location without purchasing additional right-of-way and doing considerable design work. The City Council directed the staff to prepare a priority list of street projects indicating the priority rating of widening Lockeford Street at the subject location.

The City Manager recommended that this priority evaluation be made at the time the 5-year Capital Improvement Program is compiled, and suggested that the requested priority list be presented to Council in conjunction with the presentation of the overall Capital Improvement Program. Council concurred with the City Manager's recommendation.

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City Manager Graves reported that during the 1975-76 fiscal year, the following projects will be primarily funded with Federal-Aid Urban Program funds:

<u>PROPOSED FAU PROJECTS</u>	<u>FEDERAL</u>	<u>LOCAL</u>	<u>TOTAL</u>
Lodi Avenue 200' W/Lower Sacto-Woods	\$238,037	\$48,963	\$287,000
Elm Street-Lower Sacramento - Mills	\$106,992	\$15,008	\$122,000
Lodi Grade Separation Study	\$ 41,470	\$ 8,530	\$ 50,000

C.M. AUTHORIZED
TO SIGN FORMS FOR
FAU PROGRAMS

City Manager Graves requested that the City Council designate the City Manager as the authorized representative of the City of Lodi for the purpose of filing and signing the required forms for the Federal-Aid Urban Programs.

On motion of Councilman Ehrhardt, Hughes second, the City Manager was designated as the authorized representative of the City of Lodi for the purpose of filing and signing the required forms for the Federal-Aid Urban Programs.

LODI AVE. GRADE
SEPARATION STUDY

A lengthy discussion followed regarding the Lodi Avenue Grade Separation study.

Mayor Schaffer directed staff to set the matter of the Lodi Avenue Grade Separation Study for a shirt sleeve session prior to submitting the application for funds for this study.

REQUIREMENTS FOR
COMPUTER PRO-
POSALS APPROVED

Following introduction of the matter by the City Manager, on motion of Councilman Katnich, Ehrhardt second, Council approved the requirements for proposals for City of Lodi data processing objectives and criteria.

APPROPRIATION TO
EQUIPMENT FUND
APPROVED

City Manager Graves advised the Council that purchases and replacement of City equipment are charged to the Equipment Fund and departmental charges for depreciation are paid into the Equipment Fund as the source of revenue. Many years ago, it was recognized that the Fund could accumulate a sizeable amount of idle monies if the Fund increased by precise amounts of new equipment purchases and inflated costs of replacement equipment. It was recognized that occasional appropriations would be required. The City has been experiencing some very heavy inflated replacement costs the past two years. City Manager Graves requested that the Council appropriate \$10,000 from the General Fund to the Equipment Fund.

On motion of Councilman Katnich, Pinkerton second, Council approved the appropriation of \$10,000 from the General Fund to the Equipment Fund.

The City Manager reported to the Council that two properties were purchased from Library funds as portions of a future library site. Construction of a

DISPOSITION OF
HOUSES ON
LIBRARY SITE

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new library is not anticipated for several years, and the two dwelling units comprise the only structures on the properties.

The house at 210 North Pleasant is presently rented at \$95.00 per month and can continue to be rented with the customary amount of maintenance provided by the landlord. The house is rather small and is probably economic to move to a different site. The City has received inquiries about the availability of the house for sale.

The house at 223 W. Locust Street has been vacant since its purchase. While we have had interest in renting it, the Finance Director has inspected the house and found its condition such that considerable maintenance and repair should be done before it should be rented. The City has received no inquiries regarding purchasing the house for moving.

The Library Board of Trustees has authorized the City Manager to use his best judgment in the disposition of the structures.

City Manager Graves recommended that bids be taken for selling the structures for moving, and in the case of the structure at 223 West Locust Street, an alternate bid for demolition be received.

On motion of Councilman Ehrhardt, Hughes second, Council authorized the advertising for sale or destruction of residences at 210 North Pleasant and 223 West Locust Street.

REVISED POLICE
OFFICER CLASS
SPECS APPROVED

City Manager Graves advised the Council that a recruitment for the class of Police Officer is to be initiated in the very near future. In preparing for this recruitment, a study of the existing Police Officer minimum requirements (employment standards) was made with technical assistance from the California Commission on Peace Officers Standards and Training. It has been determined that the City needs to make some significant changes to the minimum requirements called for in the Police Officer class specifications. Council was presented with the proposed revised Police Officer class specifications.

Questions regarding these proposed revised Police Officer class specifications were directed to the City Manager.

On motion of Councilman Ehrhardt, Katnich second, Council approved the proposed revised Police Officer Class Specifications as presented.

REPORT FROM
ROBERT T.
ANDERSON RE
LITIGATION

City Attorney Mullen reported to the Council that the requested opinion from Robert T. Anderson with respect to enjoining a State Legislator from voting on legislation or participating in the legislative process with respect to legislation which is favored or supported by persons or entities from whom the State legislator received in excess of a specific amount of campaign contributions, had been received and

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reflected that there is no legal basis for the court to enjoin such state legislators from participating in the legislative process with respect to such legislation or from voting thereon. Mr. Anderson advises that the general rule is that the legislature has the actual power to pass any act it pleases, and the courts will never interfere by injunction or otherwise to prevent the passage of an act. The courts may not interfere by writ or other process to prevent the legislature from passing an act, but once it has been adopted the courts will pass on its validity.

City Attorney Mullen highlighted the 14 page opinion as received from Mr. Anderson, and answered questions as directed by Council.

A lengthy discussion followed, with Mayor Schaffer continuing the matter to the regular Council meeting of April 16, 1975 for further clarification of terminology and suggestions as to other ways this matter may be approached.

COUNCILMAN
EHRHARDT RE-
APPOINTED TO
LAFCO COMM.

Mayor Schaffer apprised the Council that Councilman Ehrhardt had recently been reappointed as a voting member of the LAFCO Commission.

SB 325 FUNDS TO
LODI INCREASED

Mayor Schaffer also apprised the Council that in a recent special session of the County Council of Governments, the apportionment schedule for 1975-76 Senate Bill 325 funds had been revised, which will mean that Lodi will have an increase in these funds for the 1975-76 period amounting up to 9.85% of the total.

DATES OF INTEREST

Mayor Schaffer reminded the Council of the following dates of interest:

- 1) CVD Quarterly meeting, April 3, 1975,
Stockton, California
- 2) CVD City Council and Managers Retreat -
Twain Harte, California April 10 - 11, 1975.

ADJOURNMENT

There being no further business to be brought before the Council, Mayor Schaffer adjourned the meeting at approximately 9:30 p.m.

Alice M. Reimche
Attest: ALICE M. REIMCHE
City Clerk